

### **Amendments to the Claims**

**This listing of claims will replace all prior versions and listings of claims in the application:**

Claims 1-2 (canceled)

Claim 3 (previously presented) A method for producing a fertile transgenic *Oryza sativa* plant comprising the steps of: (i) establishing a regenerable embryogenic *Oryza sativa* callus culture; (ii) selecting a plant cell aggregate therefrom for transformation; (iii) transforming said plant cell aggregate with DNA by whisker-mediated transformation; (iv) identifying transformed cell lines therefrom; and (iv) regenerating fertile transgenic *Oryza sativa* plants therefrom.

Claims 4-8 (canceled)